

AO 245 B (Rev. 06/05)(W.D.TX.) - Judgment in a Criminal Case

RECEIVED

UNITED STATES DISTRICT COURT

2007 MAY 11 AM 10:36
Western District of Texas
SAN ANTONIO DIVISION

FILED
MAY 15 2006

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

UNITED STATES OF AMERICA
v. P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Case Number SA-05-CR-459-RF (01)
USM Number 61322-180

NAZA RAY COOK

Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, NAZA RAY COOK, was represented by Kurt May.

On motion of the United States, the Court has dismissed the remaining Count(s) of the Indictment.

The defendant pled guilty to Count(s) One (1) of the Indictment on November 22, 2005. Accordingly, the defendant is adjudged guilty of such Count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count (s)</u>
18 U.S.C. 471	Counterfeiting obligations or securities of of the United States	June 23, 2005	1

As pronounced on April 26, 2006, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the Court and United States Attorney of any material change in the defendant's economic circumstances.

Signed this the 12th day of May, 2006.

[Signature]
ROYAL FERGESON
United States District Judge

A true copy of the original, I certify.
Clerk, U. S. District Court

By [Signature]
Deputy

AO 245 B (Rev. 06/05)(W.D.TX.) - Probation

Judgment--Page 2

Defendant: NAZA RAY COOK
Case Number: SA-05-CR-459-RF (01)

PROBATION

The defendant is hereby placed on probation for a term of eighteen (18) months.

While on probation, the defendant shall comply with the mandatory, standard and if applicable, the special conditions that have been adopted by this Court as set forth in pages 3 and 4 of this judgment.

 x The defendant shall abstain from the use of alcohol and/or other intoxicants during term of probation.

Defendant: NAZA RAY COOK
Case Number: SA-05-CR-459-RF (01)

CONDITIONS OF PROBATION

Mandatory Conditions:

- 1) The defendant shall not commit another federal, state, or local crime.
- 2) The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
- 3) In supervised release cases only, the defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.
- 4) If convicted of a felony, the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- 5) The defendant shall cooperate in the collection of DNA as directed by the probation officer if the collection of such a sample is authorized pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. § 1413a).
- 6) If convicted of a sexual offense as described in 18 U.S.C. § 4042(c)(4), the defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer.
- 7) If convicted of a domestic violence crime as defined in 18 U.S.C. § 3561(b), the defendant shall participate in an approved program for domestic violence.
- 8) If the judgment imposes a fine or restitution, it is a condition of supervision that the defendant pay in accordance with the Schedule of Payments sheet of the judgment.

Standard Conditions:

- 1) The defendant shall not leave the judicial district without permission of the court or probation officer.
- 2) The defendant shall report to the Probation Officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the Probation Officer and follow the instructions of the Probation Officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the Probation Officer for schooling, training or other acceptable reasons.
- 6) The defendant shall notify the Probation Officer at least ten days prior to any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the Probation Officer.
- 10) The defendant shall permit a Probation Officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the Probation Officer.
- 11) The defendant shall notify the Probation Officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245 B (Rev. 05/04)(W.D.TX.) - Probation

Judgment--Page 4

Defendant: NAZA RAY COOK

Case Number: SA-05-CR-459-RF (01)

- 14) If convicted of a sexual offense as described in 18 U.S.C. § 4042(c)(4), or has a prior conviction of a State or local offense that would have been an offense as described in 18 U.S.C. § 4042 (c)(4) if a circumstance giving rise to Federal jurisdiction had existed, the defendant shall participate in a sex offender treatment program approved by the probation officer. The defendant shall abide by all program rules, requirements and conditions of the sex offender treatment program, including submission to polygraph testing, to determine if the defendant is in compliance with the conditions of release. The defendant may be required to contribute to the cost of the services rendered (copayment) in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- 15) The defendant shall submit to an evaluation for substance abuse or dependency treatment as directed by the probation officer, and if deemed necessary by the probation officer, the defendant shall participate in a program approved by the probation officer for treatment of narcotic addiction or drug or alcohol dependency which may include testing and examination to determine if the defendant has reverted to the use of drugs or alcohol. The defendant may be required to contribute to the cost of the services rendered (copayment) in an amount to be determined by the probation officer, based upon the defendant's ability to pay.
- 16) The defendant shall submit to an evaluation for mental health counseling as directed by the probation officer, and if deemed necessary by the probation officer, the defendant shall participate in a mental health program approved by the probation officer. The defendant may be required to contribute to the cost of the services rendered (copayment) in an amount to be determined by the probation officer, based upon the defendant's ability to pay.
- 17) If the defendant is excluded, deported, or removed upon release from imprisonment, the term of supervised release shall be a non-reporting term of supervised release. The defendant shall not illegally re-enter the United States. If the defendant lawfully re-enters the United States during the term of supervised release, the defendant shall immediately report in person to the nearest U.S. Probation Office.
- 18) If the judgment imposes other criminal monetary penalties, it is a condition of supervision that the defendant pay such penalties in accordance with the Schedule of Payments sheet of the judgment.
- 19) If the judgment imposes a fine, special assessment, restitution, or other criminal monetary penalties, it is a condition of supervision that the defendant shall provide the probation officer access to any requested financial information.
- 20) If the judgment imposes a fine, special assessment, restitution, or other criminal monetary penalties, it is a condition of supervision that the defendant shall not incur any new credit charges or open additional lines of credit without the approval of the probation officer unless the defendant is in compliance with the payment schedule.

The Court further adopts such of the following special conditions applied to the supervised person by the judge at the time of sentencing:

- 1) **COMMUNITY CONFINEMENT:** The defendant shall reside in a Community Corrections Center for a period of N/A months to commence on N/A. Further, once employed, the defendant shall pay 25% of his/her weekly gross income for his/her subsistence as long as that amount does not exceed the daily contract rate.
- 2) **HOME DETENTION:** The defendant shall participate in the Home Confinement Program for a period of N/A days/months. During this time the defendant shall remain at his/her place of residence except for employment and other activities approved in advance by the probation officer. The defendant shall maintain a telephone at his/her place of residence without "call forwarding," a "modem," "caller ID," "call waiting," or portable cordless telephones for the above period. At the direction of the probation officer, the defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The court further orders that the defendant shall pay for the costs of Home Confinement, as directed by the probation officer.
- 3) **COMMUNITY SERVICE:** The defendant shall perform N/A hours of community service work without pay, at a location approved by the probation officer, at a minimum rate of four hours per week, to be completed during the first N/A months of supervision.

Defendant: NAZA RAY COOK
Case Number: SA-05-CR-459-RF (01)

CRIMINAL MONETARY PENALTIES/ SCHEDULE

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth. Unless the Court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. Criminal Monetary Penalties, except those payments made through Federal Bureau of Prisons' Inmate Financial Responsibility Program shall be paid through the Clerk, United States District Court, 655 East Durango Boulevard, Room G-65, San Antonio, Texas 78206.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTAL:	\$100.00	\$0	\$0

Special Assessment

It is ordered that the defendant shall pay to the United States a special assessment of \$100.00. Payment of this sum shall begin immediately.

Fine

The fine is waived because of the defendant's inability to pay.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column above. However, pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States is paid.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. §3614.

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. §3612(f). All payment options may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

SEALED DOCUMENT PURSUANT
TO E-GOVERNMENT ACT OF 2002

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

2005 JUL 20 P 1:18

CLERK, U.S. DIST. COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

NAZA RAY COOK,

Defendant.

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§

CRIMINAL NO.: SA-05-CR-

SA05CR459 RF
INDICTMENT

[Vio. 18 U.S.C. § 471,
Counterfeiting - Count One
Vio. 18 U.S.C. § 472,
Counterfeit Possession - Count Two.]

THE GRAND JURY CHARGES:

COUNT ONE

[Vio. 18 U.S.C. § 471]
Counterfeiting

On or about the 23rd day of June, 2005, within the Western District of Texas, the
Defendant,

NAZA RAY COOK,

with intent to defraud, did falsely make and forge and counterfeit and alter an obligation or other
security of the United States, in violation of Title 18, United States Code, Section 471.

COUNT TWO

[Vio. 18 U.S.C. § 472]
Counterfeit Possession

On or about the 23rd day of June, 2005, within the Western District of Texas, the
Defendant,

NAZA RAY COOK,

with intent to defraud, keep in his possession and conceal falsely made and forged and counterfeited

A true copy of the original, I certify.

Clerk, U. S. District Court

By

[Signature]
Deputy

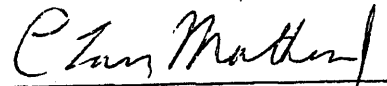
2-

and altered obligations or other securities of the United States, in violation of Title 18, United States Code, Section 472.

A TRUE BILL.


FOREPERSON OF THE GRAND JURY

JOHNNY SUTTON
United States Attorney

By: 
C. LARRY MATHEWS, JR.
Assistant United States Attorney

CLOSED

**U.S. District Court [LIVE]
Western District of Texas (San Antonio)
CRIMINAL DOCKET FOR CASE #: 5:05-cr-00459-WRF-ALL
Internal Use Only**

Case title: USA v. Cook
Magistrate judge case number: 5:05-mj-00491 WDTX/Bkrptcy

Date Filed: 07/20/2005

Assigned to: Hon. W. Royal Furgeson, Jr

Defendant

Naza Ray Cook (1)
TERMINATED: 05/15/2006

represented by **Kurt Gene May**
Federal Public Defender
727 E. Durango Blvd., Suite B-207
San Antonio, TX 78205
(210)472-6700
Fax: 210/472-4454
Email: kurt_may@fd.org
TERMINATED: 05/15/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

18:471.F UTTERS COUNTERFEIT
OBLIGATIONS
(1)

Disposition

18 months probation; \$100 special assessment

Highest Offense Level (Opening)

Felony

Terminated Counts

18:472.F PASSES COUNTERFEIT
OBLIGATIONS OR SECURITIES
(2)

Disposition

Dismissed by motion of Government

Highest Offense Level (Terminated)

Felony

Complaints

Falsely makes, forges, counterfeits or alters any
obligation or other security of the United States
and whoever keeps in their possession or
conceals any falsely made, forged, counterfeited
or altered obligation or other security of the
United States in violation of 18 USC 471, 472
[5:05-m -491]

Disposition

A true copy of the original, I certify.

Clerk, U. S. District Court

By

Deputy

Plaintiff

USA

represented by **C. Larry Mathews, Jr.**
 Assistant United States Attorney
 601 N. W. Loop 410
 Suite 600
 San Antonio, TX 78216-5512
 (210) 384-7150
 Fax: (210) 384-7118
 Email: Larry.Mathews@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/30/2005		Case assigned to Honorable John W. Primomo [5:05-m -491] (sj) (Entered: 07/01/2005)
06/30/2005	1	Complaint filed against Naza Ray Cook [5:05-m -491] (sj) (Entered: 07/01/2005)
06/30/2005		Added for USA attorney C. Larry Mathews Jr. [5:05-m -491] (sj) (Entered: 07/01/2005)
06/30/2005		Location Fugitive started for Naza Ray Cook [5:05-m -491] (sj) (Entered: 07/01/2005)
07/20/2005		Case assigned to Hon. W. R. Furgeson Jr. (rg1) (Entered: 07/22/2005)
07/20/2005		Added for USA attorney C. Larry Mathews Jr. (rg1) (Entered: 07/22/2005)
07/20/2005	2	Indictment filed (Redacted Version) against Naza Ray Cook Naza Ray Cook (1) count (s) 1, 2 . Unredacted indictment with signature of foreperson of the grand jury sealed pursuant to E-Government Act of 2002 (Pages: 2) (rg1) (Entered: 07/22/2005)
07/20/2005		Location Fugitive started for Naza Ray Cook (rg1) (Entered: 07/22/2005)
07/20/2005	4	Order Bench warrant issued for Naza Ray Cook signed by Judge Pamela A. Mathy (rg1) (Entered: 08/08/2005)
07/20/2005		Bench warrant issued for Naza Ray Cook (rg1) (Entered: 08/08/2005)
07/26/2005	3	Complaint warrant returned unexecuted for Naza Ray Cook. Superseded by indictment. (rg1) (Entered: 07/27/2005)
08/05/2005		Arrest of Naza Ray Cook (rg1) (Entered: 08/08/2005)
08/05/2005	5	Bench warrant returned executed for Naza Ray Cook on 8/4/05- transferred to federal custody (rg1) (Entered: 08/08/2005)
08/05/2005		Defendant(s) Naza Ray Cook first appearance held ; ; Defendant informed of rights. (rg1) (Entered: 08/08/2005)
08/05/2005	6	Minutes of proceedings for Initial Appearance conducted on 8/5/5 as to Naza Ray Cook by Judge Mathy. Court Reporter: ERO (rg1) (Entered: 08/08/2005)
08/05/2005	7	Order appointing Federal Public Defender for Naza Ray Cook Kurt Gene May to represent defendant signed by Judge Pamela A. Mathy (rg1) (Entered: 08/08/2005)
08/05/2005	8	Order of Temporary Detention as to Naza Ray Cook ; Bond set to DETAINED PENDING DETENTION HEARING for Naza Ray Cook. setting Detention hearing for 4:00 8/10/05 for Naza Ray Cook signed by Judge Pamela A. Mathy (rg1) (Entered: 08/08/2005)

08/10/2005		Bail Review hearing for Naza Ray Cook held. Court was advised that the government no longer seeks detention in this case and will agree to conditions of release, subject to the court's approval. Court sets a \$10,000 unsecured bond with defendant's mother to sign as surety. (rg) (Entered: 08/11/2005)
08/10/2005	9	Minutes of proceedings for Bail Review conducted on 8/10/05 as to Naza Ray Cook by Judge Nowak. Court Reporter: Tape (rg) (Entered: 08/11/2005)
08/10/2005	<u>10</u>	AGREED Order bond set: Bond reset to \$10,000 Unsecured for Naza Ray Cook. signed by Honorable Nancy S. Nowak (rg) (Entered: 08/11/2005)
08/10/2005	<u>11</u>	Waiver of personal appearance at arraignment and entry of plea not guilty by Naza Ray Cook (1) count(s) 1, 2 signed by Honorable Nancy S. Nowak (rg) (Entered: 08/11/2005)
08/11/2005	<u>12</u>	Bond filed: \$10,000 bond unsecured for Naza Ray Cook (rg1) (Entered: 08/12/2005)
08/22/2005	<u>13</u>	General Order of Discovery as to Naza Ray Cook signed by Hon. W. R. Furgeson Jr. (rg1) (Entered: 08/23/2005)
08/22/2005	<u>14</u>	Order as to Naza Ray Cook setting Jury selection to 9:30 9/26/05 for Naza Ray Cook , Jury trial 9:30 9/26/05 for Naza Ray Cook signed by Hon. W. R. Furgeson Jr. (rg1) (Entered: 08/23/2005)
09/20/2005	15	Motion by Naza Ray Cook to continue jury selection and jury trial (tm) (Entered: 09/21/2005)
09/22/2005	<u>16</u>	Order as to Naza Ray Cook granting motion to continue jury selection and jury trial [15-1] as to Naza Ray Cook (1) resetting Jury selection to 9:30 10/31/05 for Naza Ray Cook , Jury trial 9:30 10/31/05 for Naza Ray Cook , order indicates continuance is granted in order to obtain or substitute counsel, or give counsel reasonable time to prepare signed by Hon. W. R. Furgeson Jr. (rg1) (Entered: 09/23/2005)
10/26/2005	<u>17</u>	Plea agreement filed as to Naza Ray Cook (rg1) (Entered: 10/27/2005)
10/26/2005	18	Stipulation of Facts filed by USA as to Naza Ray Cook (rg1) (Entered: 10/27/2005)
10/27/2005	<u>19</u>	Order of Referral to U.S. Magistrate on felony guilty/nolo plea as to Naza Ray Cook signed by Hon. W. R. Furgeson Jr. (rg1) (Entered: 10/27/2005)
10/27/2005	20	Consent to administration of guilty/nolo plea and Rule 11 Allocation by a United States Magistrate Judge as to Naza Ray Cook (rg1) (Entered: 10/27/2005)
10/28/2005	<u>21</u>	ORDER as to Naza Ray Cook set arraignment and plea for 1:30 11/22/05 signed by Honorable Nancy S. Nowak (rg) (Entered: 10/31/2005)
11/22/2005		Rearraignment as to Naza Ray Cook held. Defendant informed of rights. (rf) (Entered: 11/23/2005)
11/22/2005		Plea of guilty entered by , Naza Ray Cook (1) count(s) 1 (rf) (Entered: 11/23/2005)
11/22/2005		Referred to Probation for Pre-Sentence Report as to Naza Ray Cook (rf) (Entered: 11/23/2005)
11/22/2005	<u>22</u>	Memorandum and Recommendation on felony guilty/nolo plea before the United States Magistrate Judge as to Naza Ray Cook Recommendation that the District Court accept the guilty plea. (mailed on 11/23/05, by certified mail or faxed if authorization on file) (rf) (Entered: 11/23/2005)
11/22/2005	23	Minutes of proceedings for Rearraignment conducted on 11/22/05 as to Naza Ray Cook by Judge Nowak. Court Reporter: TAPE (rf) (Entered: 11/23/2005)
11/22/2005	<u>24</u>	Waiver of Rule 32 time limits by Naza Ray Cook (rf) (Entered: 11/23/2005)
12/07/2005	<u>25</u>	Order as to Naza Ray Cook set sentencing for 2:00 3/8/06 signed by Hon. W. R.

		Furgeson Jr. (rf) (Entered: 12/08/2005)
01/04/2006	<u>26</u>	Order as to Naza Ray Cook, IT IS ORDERED that the Findings and Fact and Recommendation of the United States Magistrate Judge filed in this cause be and is accepted pursuant to 28 U.S.C. 636 (b)(1) such that Defendant's guilty plea is ACCEPTED, signed by Hon. W. R. Furgeson Jr. (rf) (Entered: 01/05/2006)
01/04/2006		Guilty plea accepted by the court as to Naza Ray Cook (1) count(s) 1 (rf) (Entered: 01/05/2006)
03/02/2006	<u>27</u>	Motion by Naza Ray Cook to continue sentencing (rf) (Entered: 03/02/2006)
03/07/2006	<u>28</u>	Order granting motion to continue sentencing [27-1] as to Naza Ray Cook (1) setting sentencing to 2:00 4/12/06 signed by Hon. W. R. Furgeson Jr. (tm) (Entered: 03/08/2006)
03/30/2006	<u>29</u>	Order cancelling sentencing for Naza Ray Cook signed by Hon. W. R. Furgeson Jr. (tm) (Entered: 03/31/2006)
04/18/2006	<u>30</u>	Order setting sentencing to 4:00 4/26/06 for Naza Ray Cook signed by Hon. W. R. Furgeson Jr. (tm) (Entered: 04/19/2006)
04/26/2006	<u>31</u>	Minute Entry for proceedings held before Judge W. Royal Furgeson Jr.:Sentencing held on 4/26/2006 for Naza Ray Cook (1), Count(s) 1, 18 months probation; \$100 special assessment; Count(s) 2, Dismissed by motion of Government. (Minute entry documents are not available electronically.) (Court Reporter Denver Roden.) (rf) (Entered: 04/30/2006)
05/15/2006	<u>32</u>	JUDGMENT AND COMMITMENT as to Naza Ray Cook . Signed by Judge W. Royal Furgeson Jr.. (tm,) (Entered: 05/16/2006)
05/15/2006		SEALED PRESENTENCE INVESTIGATION REPORT placed under seal as to Naza Ray Cook (tm,) (Entered: 05/16/2006)
05/18/2006	<u>33</u>	Judgment and Commitment Returned Executed as to Naza Ray Cook on 5/17/06. (tm,) (Entered: 05/19/2006)